

Remarks

Claims 1-32 were pending. Claims 4, 6, and 24 are cancelled without prejudice to prosecution in a future application. Claim 33 is added. Therefore, claims 1-3, 5, 7-23, and 25-33 are now pending.

Support for the claim amendments and new claim can be found throughout the specification, for example:

Claims 1-2, 5, 7-10, and 12-13: amended to show relationship between method and composition claims. Support can be found in the original claim and the claim from which they now depend.

Claim 19: claim 27.

Claims 25-27: amended due to the amendment to claim 19.

Claim 33: pages 30 – 33.

No new matter is added by this amendment.

Applicants elect Group II (claims 19-32), directed to a composition, with traverse. Groups I and II are directed to a composition (Group II) and a method of using the composition (Group I). The composition claims are not anticipated by the prior art, including US Patent No. 4,297,276. Therefore, under PCT Rule 13.1 Groups I and II relate to a single general inventive concept because under PCT Rule 13.2, they share a corresponding technical feature, namely hair growth promoting compositions that include an actin-binding peptide and which are no more than 10 amino acid residues in length, and methods of their use. Such compositions are not taught or suggested in the prior art cited.

The claims have been amended to more clearly demonstrate that the claims of Groups I and II are directed to related products (compositions of Group II) and processes (methods of Group I). For example, claim 1 now depends from claim 19. Accordingly, as set forth in MPEP § 806.05(h), in an Ochiai/Brouwer situation, “Where applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise include all the limitations of an allowable product will be

rejoined...and will be fully examined for patentability in accordance with 37 C.F.R. 1.104.”
Therefore, Applicants have amended herein the methods of Group I to maintain dependency on
the product claims (Group II) so as to retain the right of rejoinder.

Therefore, reconsideration of the restriction requirement is requested.

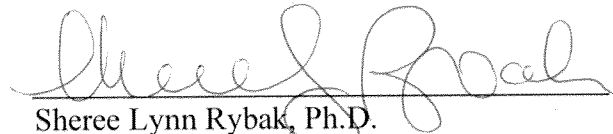
If there are any questions regarding this amendment, the Examiner is invited to telephone
the undersigned.

Respectfully submitted,

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